

Appl No.: 10/723,078

Atty. Dkt.
PC-1609**REMARKS/ARGUMENTS**

Favorable consideration of this application is respectfully requested. Applicant has rewritten claim 19 and canceled claim 24. Favorable reconsideration of this application is, consequently, earnestly solicited in view of the following remarks. Applicant gratefully appreciates the examiner's indication that claims 1-4, 9, 10, 18, 22 and 23 are allowable, and that claim 24 would be allowable if submitted in independent form including all limitations on the base claim of which it depends

Previous independent claim 19 has been amended to include the indicated allowable subject matter of now canceled claim 24.

Claim 19 was rejected under sec. 102b as anticipated by Eppolito. This rejection is now moot since independent claim 19 has been amended to include the indicated allowable subject matter of now canceled claim 24.

Dependent claims 20 and 21 were rejected under sec. 103 as being unpatentable over Eppolito. This rejection is now moot since independent claim 19 on which these claims depend has been amended to include the indicated allowable subject matter of now canceled claim 24.

Applicant contends the references cannot be modified to incorporate the features of subject claims 1-4, 9, 10 and 18-23 without utilizing Applicant's disclosure. The courts have consistently held that obviousness cannot be established by combining the teachings of the prior art to Applicant to produce the claimed invention, absent some teaching, suggestion, incentive or motivation supporting the combination. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

In view of the foregoing considerations, it is respectfully urged that claims 1-4, 9, 10 and 18-23 all be allowed. Such action is respectfully requested. If the Examiner believes that an interview would be helpful, the Examiner is requested to contact the attorney at the below listed number.

Respectfully Submitted;

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